

CHAPTER III.

An Act to authorize the Saint Paul and Pacific Railroad Company to Construct a Branch Road to Lake Superior.

- SECTION 1.** The provisions of a Joint Resolution passed by Congress are hereby accepted.
2. Powers granted to said company—where said road to terminate.
 3. Forfeiture of all rights, franchises, lands, property and interests—when.
 4. May have power to consolidate the whole or a portion of its capital stock—Board of Directors how chosen.
 5. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the provisions of a Joint Resolution of the Congress of the United States, approved July 12th, 1862, entitled "A Joint Resolution authorizing the State of Minnesota to change the line of certain Branch Railroads in said State, and for other purposes," be, and the same are hereby accepted.

Provisions of a
Joint Resolution
passed by Con-
gress accepted

SEC. 2. That the Saint Paul and Pacific Railroad Company is hereby authorized and empowered to survey, locate, construct, maintain, and operate, in conformity with the said Joint Resolution of Congress, within the State of Minnesota, a new Branch Railroad, having its south-western terminus at or above some point opposite the town of Saint Cloud, upon the existing branch line of said The Saint Paul and Pacific Railroad, and extending from thence in a north-easterly direction, by such route as they may select, to the navigable waters of Lake Superior, at or near the mouth of Pigeon river, by way of Du Luth. And the said, The Saint Paul and Pacific Railroad Company shall be entitled to have, receive, and hold, and there is hereby granted to it, all the lands, benefits, and privileges granted and conferred to and upon the State of Minnesota, in and by said Joint Resolution of Congress; and the said Company may construct and operate the line of road herein provided for, in accordance with the terms and provisions of the act of the Legislature of this State, entitled "an act to facilitate the construction of the Minnesota and Pacific

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Railroad, and to amend and continue the act of Incorporation in relation thereto," approved March 10th, 1862, and for the purpose of constructing said Branch Railroad, the said Company shall have, and may exercise all the rights, immunities, privileges, and franchises, conferred in and by the said last named act, and the act to which it is amendatory, so far as the same may be applicable; *Provided*, The grants and franchises hereby conferred or extended, are made with the proviso, and upon the express condition, that they shall in no wise, inure to the line of road now located or constructed, or to be located or constructed hereafter, under the powers of the present act of incorporation of the said St. Paul and Pacific Railroad Company; and also that no act or deed of the said Company shall be competent to embarrass or encumber the grants or franchises hereby made, for any purpose connected with the line or lines of road, contemplated by the existing charter of the said Railroad Companies.

SEC. 3. *And it is further provided*, That if the said Saint Paul and Pacific Railroad Company, shall not, within two years from the 8th day of March, 1863, construct and equip for business, at least twenty miles of said new branch road, from the point of divergence heretofore designated on the Mississippi; and also grade and prepare for the laying of the iron, at least twenty miles within the State of Minnesota, from the navigable waters on Lake Superior, beginning not further down on said Lake than at or near Minnesota Point, and thence by the most feasible route in said State, in the direction of the south-western terminus, and shall not within five years from the passage of this act, complete said new branch from the Mississippi, thence to the navigable waters of Lake Superior, in said State of Minnesota, then all the rights, franchises, lands, property, interests, and immunities hereby granted, pertaining to the unfinished portions of said new branch road, shall be forfeited to the State, and shall not inure in any way to the said The Saint Paul and Pacific Railroad Company, but shall be forfeited to, and retained by the State of Minnesota for future disposition.

SEC. 4. The said, The Saint Paul and Pacific Railroad Company shall have power to consolidate the whole or any portion of its capital stock, with the capital stock or any portion thereof, of the road or branch road of any other Railroad corporation or company, having the same

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general direction or location, or to become merged therein, by way of substitution, upon such terms or conditions as the two companies may agree upon, by the consent of a majority of the stockholders of each company, and the two companies, when such consolidation has been made, shall control and manage, by the Board of Directors of both companies acting jointly, such consolidated road, until the first election of Directors of said consolidating companies, when the stockholders of said companies, shall choose at such time and place as they shall agree upon, a Board of Directors, not to exceed eleven in number, who shall have power to adopt a name for such consolidated road, and by which they shall be known and recognized; to adopt a common seal; to sue and be sued; contract and be contracted with; and shall have and enjoy all and singular the rights, right of way, privileges, and immunities of said consolidating companies or either of them, as to such consolidated line, before such consolidation, which said agreement of consolidation, shall be in writing, signed by the Presidents of said consolidating companies respectively, and a copy thereof filed in the office of the Secretary of State.

May have power to consolidate the whole or a portion of its capital stock—Board of Directors how chosen

SEC. 5. This act is hereby declared to be a public act, and shall be in force from and after its passage.

Approved, March 6, 1863.

CHAPTER IV.

An Act Granting Lands to Aid the Saint Paul and Pacific Railroad Company in the Construction of their Branch Railroad from Saint Paul to Winona.

- SECTION 1. Grant of swamp lands to the St. Paul and Pacific Railroad—for what purpose—when lands may be forfeited.
 2. May consolidate said branch road.
 3. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That for the purpose of aiding in the con-